



RCE
EX-1

Request For Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Application Number	09/923,117
Filing Date	August 6, 2001
First Named Inventor	MCKAY, William F.
Art Unit	3732
Examiner Name	BONDERER, David A.
Attorney Docket Number	4002-2804

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995 or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
 - a. Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.
 - i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ii. Other Response to Office Action dated December 10, 2004
 - b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____
2. **Miscellaneous**
 - a. Suspension of action on the above-identified application is requested under 37 CFR § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR § 1.17(i) required.)
 - b. Other _____
3. **Fees** The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.
 - a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 23-3030. I have enclosed a duplicate copy of this sheet.

i. <input type="checkbox"/> RCE fee required under 37 CFR § 1.17(e)	1 09/29/2005 BABRAHA1 00000058 09923117
ii. <input type="checkbox"/> Extension of time fee (37 CFR §§ 1.136 and 1.17)	1 01 FC:1801 790.00 DP
iii. <input type="checkbox"/> Other _____	
 - b. Check in the amount of \$ _____ enclosed
 - c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	September 26, 2005
Name (Print/Type)	Kenneth A. Gandy	Registration No.	33,386

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the US Patent and Trademark Office on the date shown below.

Signature			
Name (Print/Type)	Kenneth A. Gandy	Date	September 26, 2005

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